

David W. Newman (USB #15901)
Assistant United States Trustee
Matthew J. Burne (USB #18605)
UNITED STATES DEPARTMENT OF JUSTICE
Office of the United States Trustee
Washington Federal Bank Building
405 South Main Street, Suite 300
Salt Lake City, UT 84111
Telephone: (801) 524-5734
Facsimile: (801) 524-5628
E-mail: David.W.Newman@usdoj.gov

Attorneys for Gregory W. Garvin
Acting United States Trustee, Region 19

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH**

| | |
|---------------------|------------------------------|
| In re: | Bankruptcy Case No. 24-23530 |
| AMMON EDWARD BUNDY, | Chapter 7 |
| Debtor. | Hon. William T. Thurman |

NOTICE OF ISSUANCE OF SUBPOENA

The Acting United States Trustee hereby gives notice that he has issued the attached subpoena as follows:

Subpoena for Oral Examination:

Ammon Edward Bundy

The subpoena is attached hereto and incorporated herein by this reference.

Date: December 9, 2024

ACTING UNITED STATES TRUSTEE
Gregory W. Garvin

By: /s/ David W. Newman
David W. Newman
Attorney for the Acting United States Trustee

CERTIFICATE OF SERVICE BY ELECTRONIC NOTICE (EM/ECF)

I hereby certify that on December 9, 2024, I caused the foregoing document to be electronically filed with the United States Bankruptcy Court for the District of Utah by using the CM/ECF system. I further certify that the parties of record in this case, as identified below, are registered CM/ECF users.

- **Matthew James Burne** matthew.burne@usdoj.gov, James.Gee@usdoj.gov;Lindsey.Huston@usdoj.gov;Rinehart.Peshell@usdoj.gov;Rachelle.D.Hughes@usdoj.gov;Brittany.Dewitt@usdoj.gov
- **Robert A. Faucher** rfaucher@hollandhart.com, spturner@hollandhart.com
- **George B. Hofmann** ghofmann@ck.law, mparks@ck.law
- **David W. Newman tr** david.w.newman@usdoj.gov, James.Gee@usdoj.gov;Lindsey.Huston@usdoj.gov;Rinehart.Peshell@usdoj.gov;Rachelle.D.Hughes@usdoj.gov;Brittany.Dewitt@usdoj.gov
- **Benjamin David Passey** bdpassey@hollandhart.com, phowell@hollandhart.com
- **Darren G. Reid** dgreid@hollandhart.com, cfries@hollandhart.com
- **Mark C. Rose tr** trustee@mbt-law.com, UT32@ecfbis.com
- **Erik F. Stidham** efstidham@hollandhart.com, dljenkins@hollandhart.com;boiseintaketeam@hollandhart.com
- **Engels Tejeda** ejtejeda@hollandhart.com, slclitdocket@hollandhart.com,intaketeam@hollandhart.com;lahansen@hollandhart.com
- **United States Trustee** USTPRegion19.SK.ECF@usdoj.gov

CERTIFICATE OF SERVICE BY MAIL OR OTHER MEANS

I hereby certify that on December 9, 2024, I caused a copy of the foregoing document to be uploaded to BMC Group, Inc., an approved bankruptcy notice provider, to be sent by first class mail to the parties listed below. Pursuant to the BMC Group, Inc.'s terms of service, documents uploaded for service will be mailed out within one business day of being uploaded.

Mail Service: First-class U.S. mail, postage pre-paid, addressed to:

Ammon Edward Bundy
P.O. Box 1062
Cedar City, UT 84721

Lisa M. Bundy
P.O. Box 1062
Cedar City, UT 84720-1062

Jennifer M Jensen
Holland & Hart, LLP
800 West Main Street, Suite 1750
Boise, ID 83702

Date: December 9, 2024

/s/ David W. Newman

UNITED STATES BANKRUPTCY COURT

District of Utah

In re Ammon Edward Bundy
Debtor

Case No. 24-23530
Chapter 7

SUBPOENA FOR RULE 2004 EXAMINATION

To: Ammon Edward Bundy
(Name of person to whom the subpoena is directed)

☒ **Testimony:** **YOU ARE COMMANDED** to appear at the time, date, and place set forth below to testify at an examination under Rule 2004, Federal Rules of Bankruptcy Procedure. A copy of the court order authorizing the examination is attached.

PLACE Zoom link to be provided by Behmke Reporting and Video Services, Inc.

DATE AND TIME
Wednesday, January 8, 2025 at 9:00 A.M.

The examination will be recorded by this method: Stenographic Means

☐ **Production:** You, or your representatives, must also bring with you to the examination the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material:

The following provisions of Fed. R. Civ. P. 45, made applicable in bankruptcy cases by Fed. R. Bankr. P. 9016, are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and 45(g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: December 9, 2024

CLERK OF COURT

Signature of Clerk or Deputy Clerk

OR

/s/ DAVID NEWMAN
Digitally signed by
DAVID NEWMAN
Date: 2024.12.09
11:17:40 -07'00'
Attorney's signature

The name, address, email address, and telephone number of the attorney representing (name of party)
United States Trustee, who issues or requests this subpoena, are:

David W. Newman, Office of the United States Trustee, 405 South Main Street, Washington Federal Bank Building, Suite 300, Salt Lake City, UT 84111, David.W.Newman@usdoj.gov, (801) 524-5149

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things, or the inspection of premises before trial, a notice and a copy of this subpoena must be served on each party before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Federal Rule of Civil Procedure 45(c), (d), (e), and (g) (Effective 12/1/13)
(made applicable in bankruptcy cases by Rule 9016, Federal Rules of Bankruptcy Procedure)

(c) Place of compliance.

(1) *For a Trial, Hearing, or Deposition.* A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

(2) *For Other Discovery.* A subpoena may command:

(A) production of documents, or electronically stored information, or things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises, at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) *Avoiding Undue Burden or Expense; Sanctions.* A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) *Command to Produce Materials or Permit Inspection.*

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) *Quashing or Modifying a Subpoena.*

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) *Producing Documents or Electronically Stored Information.* These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) *Claiming Privilege or Protection.*

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

...
(g) **Contempt.** The court for the district where compliance is required — and also, after a motion is transferred, the issuing court — may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

This order is **SIGNED**.

Dated: September 30, 2024

William J. Thurman

WILLIAM T. THURMAN
U.S. Bankruptcy Judge



Order prepared by:

David W. Newman (USB #15901)
Assistant United States Trustee
Matthew J. Burne (USB #18605)
UNITED STATES DEPARTMENT OF JUSTICE
Office of the United States Trustee
Washington Federal Bank Building
405 South Main Street, Suite 300
Salt Lake City, UT 84111
Telephone: (801) 524-5734
Facsimile: (801) 524-5628
E-mail: David.W.Newman@usdoj.gov
E-mail: Matthew.Burne@usdoj.gov

Attorneys for Patrick S. Layng
United States Trustee, Region 19

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH**

In re:

AMMON EDWARD BUNDY,

Debtor.

Bankruptcy Case No. 24-23530

Chapter 7

Hon. William T. Thurman

**ORDER AUTHORIZING THE UNITED STATES TRUSTEE TO CONDUCT AN
EXAMINATION OF AMMON EDWARD BUNDY PURSUANT TO FEDERAL RULE
OF BANKRUPTCY PROCEDURE 2004**

Upon the Court's consideration of the *Ex-Parte* Motion for an Order Authorizing United States Trustee to Conduct an Examination of Ammon Edward Bundy ("Debtor") in his individual capacity and as a representative of all entities he owns or controls (or which he owned or controlled

in the past) pursuant to Rule 2004 of the Federal Rule of Bankruptcy Procedure (“Bankruptcy Rules”) and good cause appearing:

IT IS HEREBY ORDERED that the United States Trustee is authorized to conduct the examination of Ammon Edward Bundy pursuant to Bankruptcy Rule 2004, by Subpoena Duces Tecum, and/or by oral examination, to the extent necessary, either in person at the office of the United States Trustee or via video conference to be facilitated by Behmke Reporting and Video Services, Inc. The proceedings will be recorded by stenographic means and will continue until adjourned. The recording of the examination shall only be transcribed upon request and payment of the transcription costs shall be by the requesting party;

IT IS FURTHER ORDERED that, unless otherwise stipulated in writing, Ammon Edward Bundy will receive not less than 14 days written notice of the examination and date for production of documents; and

IT IS FURTHER ORDERED that the United States Trustee may issue subpoenas to compel attendance and production of documents pursuant to Bankruptcy Rule 2004(c).

-----END OF DOCUMENT-----

DESIGNATION OF PARTIES TO BE SERVED

Service for the foregoing order shall be served to the parties and in the manner designated below:

By Electronic Service: I certify that the parties of record in this case as identified below are registered CM/ECF users and will be served notice of entry of the foregoing order through the CM/ECF system:

- Matthew James Burne matthew.burne@usdoj.gov, James.Gee@usdoj.gov; Lindsey.Huston@usdoj.gov; Rinehart.Peshell@usdoj.gov; Rachell e.D.Hughes@usdoj.gov; Brittany.Dewitt@usdoj.gov
- Robert A. Faucher rfaucher@hollandhart.com
- Benjamin David Passey bdpassey@hollandhart.com, phowell@hollandhart.com
- Darren G. Reid dgreid@hollandhart.com, cfries@hollandhart.com
- Mark C. Rose trustee@mbt-law.com, UT32@ecfcbis.com
- Erik F. Stidham efstidham@hollandhart.com, dljenkins@hollandhart.com; boiseintaketeam@hollandhart.com
- Engels Tejeda ejtejeda@hollandhart.com, slclitdocket@hollandhart.com, intaketeam@hollandhart.com; lahansen@hollandhart.com
- United States Trustee USTPRegion19.SK.ECF@usdoj.gov

By U.S. Mail: In addition to the parties of record receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed R. Civ. P. 5(b).

Ammon Edward Bundy
P.O. Box 1062
Cedar City, UT 84721

Ammon Edward Bundy
896 E. 400 S.
New Harmony, UT 84757

Date: September 27, 2024

/s/ Matthew J. Burne
Matthew J. Burne